

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:20-CV-481-BO

L.P., by and through her guardians, J.P. and )  
K.P., and J.P. and K.P. individually, )  
Plaintiffs, )  
v. )  
WAKE COUNTY BOARD OF )  
EDUCATION, *et al.*, )  
Defendants. )

ORDER

This cause is before the Court on defendants' motion to compel the mental examination of plaintiff L.P. pursuant to Fed. R. Civ. P. 35. [DE 74]. Following the filing of defendants' motion, the parties conferred and have filed a consent motion clarifying scope of the independent medical exam of minor L.P. [DE 79].

In light of the agreement of the parties regarding this issue, defendants' motion to compel [DE 74] is DENIED AS MOOT. The parties' consent motion [DE 79] is GRANTED and the Rule 35 examination of L.P. is permitted consistent with the terms submitted by the parties. The scheduling of the Rule 35 examination should take place after the stay of discovery in this case has been lifted. However, should reasons exist to request an exemption from the stay in order to accommodate the examination the parties may file an appropriate motion.

SO ORDERED, this 7 day of March 2023.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE